

REMARKS

Claims 1-20 were originally filed in the present application.

Claims 1-4, 6-8, 10-15, 17-19 and 21-26 are pending in the present application.

Claims 1-4, 6-8, 10-15, 17-19 and 21-26 were rejected in the June 21, 2005, Office Action.

No claims have been allowed.

Claims 1, 3, 7, 12, 14 and 18 are amended herein

Claims 1-4, 6-8, 10-15, 17-19 and 21-26 remain in the present application.

Reconsideration of the claims is respectfully requested

In Sections 2 and 3 of the June 21, 2005, Office Action, the Examiner rejected Claims 1-4, 6-8, 10-15, 17-19 and 21-26 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 6,625,455 to *Ariga* (hereafter, "*Ariga*") in view of United States Patent Application Publication No. 2002/0142792 to *Martinez* (hereafter, "*Martinez*"). The Applicants respectfully traverse the rejection.

The Applicants have amended independent Claim 1 in order to more particularly point out and distinctly claim the Applicants' invention. Independent Claims 3, 7, 12, 14 and 18 have been amended to recite analogous limitations. The Applicants direct the Examiner's attention to amended independent Claim 1, which contains the unique and novel limitations emphasized below:

1. For use in a wireless communications system, a system for automatically customizing operation of a wireless device comprising:
a small area transmitter supporting wireless connectivity with wireless devices and a behavior service defining behavior of wireless devices within a service area for the small area transmitter,

wherein a wireless device,

upon detecting the behavior service upon entering the service area and receiving a behavior set from the small area transmitter, automatically sets operation of the wireless device to conform to the behavior set and associated user preferences, and

upon detecting unavailability of the behavior service following previous availability of the behavior service, automatically restores operation of the wireless device to a state existing prior to automatic setting of the operation of the wireless device to conform to the behavior set and associated user preferences. (*Emphasis added*)

The Applicants respectfully submit that the above-emphasized limitations of Claim 1 are not disclosed, suggested, or even hinted at in the *Ariga* reference or the *Martinez* reference.

The *Ariga* reference describes a portable telephone system wherein a portable telephone entering a building is instructed by a simple base station device to turn power off to its radio section. *See Ariga, col. 3, lines 39-54.* When the portable telephone goes out of the building, the simple base station device instructs it to turn power on to its radio section. *See Ariga, col. 3, line 64, through col. 4, line 7.* Only a single command value (01h) is sent, which is interpreted by the portable telephone as a 'power off' command when entering the building in a powered-on condition, and as a 'power on' command when going out of the building in a powered-off condition. *See Ariga, Figure 4, col. 5, lines 4-10.*

Thus, the *Ariga* reference describes a system in which a portable telephone entering or exiting the service area of a low power base station near the entrance of a building receives a command from the base station, causing it to toggle power on or off to its radio section. The reference does not disclose a wireless device that detects a behavior service and automatically conforms its operation to a behavior set received from a small area transmitter and that, upon subsequently detecting the

unavailability of the behavior service, automatically restores its operation to a previous state, as recited in amended independent Claim 1.

The *Martinez* reference discloses cellular telephones that allow a user to define operational settings (such as ring on/off, vibrate on/off, ring loud/soft) and store the settings as user preference information. *See Martinez, paragraph [0004]*. Such sets of user preference information are stored in the cellular telephone. *See Martinez, Fig. 7, paragraph [0037]*. Utilizing the method and apparatus of the *Martinez* reference, as specified conditions or triggers are sensed, a corresponding set of user preferences is selected. *See Martinez, Fig. 1, paragraph [0021]*.

For example, the movement of a cellular telephone into a private telephone network causes the telephone to select a first specified set of user preference information. *See Martinez, paragraph [0022]*. That is, entry of the telephone into a private network causes the selection of user preferences entered by the user, rather than preferences received from the private telephone network. As a result, the *Martinez* reference does not teach a wireless device which, upon detecting a behavior service upon entering the service area of a small area transmitter and receiving a behavior set from the small area transmitter, automatically conforms its operation to the received behavior set, as recited in amended independent Claim 1.

Furthermore, the subsequent movement of the telephone into a public telephone network causes the telephone to select a second specified set of user preference information. *See Martinez, paragraph [0023]*. That is, the selection of user preferences is performed in response to entering the public network, rather than exiting the private network. Moreover, upon entering the public

network, the telephone selects user preferences associated with the public network, rather than restoring preferences in use before the telephone entered the private network. As such, the *Martinez* reference does not disclose a wireless device which, upon detecting the unavailability of a previously available behavior service, automatically restores its operation to a state that existed prior to its entry into the service area of the small area transmitter, as recited in amended independent Claim 1.

Thus, amended independent Claims 1, 3, 7, 12, 14 and 18 contain unique and non-obvious limitations that are not disclosed, suggested, or even hinted at in either the *Ariga* reference or the *Martinez* reference, or in the combination of the *Ariga* and *Martinez* references. This being the case, Claims 1, 3, 7, 12, 14 and 18 are patentable over the *Ariga* and *Martinez* references.

Also, dependent Claims 2, 4, 6, 8, 10, 11, 13, 15, 17, 19 and 21-26 depend from independent Claims 1, 3, 7, 12, 14 and 18, directly or indirectly, and contain all of the unique and non-obvious limitations recited in the base claims. As such, Claims 2, 4, 6, 8, 10, 11, 13, 15, 17, 19 and 21-26 also are patentable over the *Ariga* and *Martinez* references. Thus, the Applicants respectfully request the withdrawal of the §103 rejection of Claims 1-4, 6-8, 10-15, 17-19 and 21-26.

SUMMARY

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of pending claims and that this Application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@davismunck.com*.

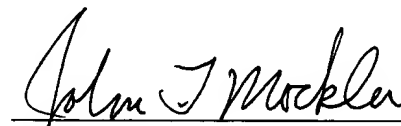
The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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